



# Lumpkin County, Georgia

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## Finance Department

**Date:** June 1, 2016

**Agenda Item:** Memorandum of Agreement w/Department of Technical and Adult Education

**Item Description:** Lease of one floor of Mental Health/Adult Learning Center Building

**Facts & Historical Information:**

Lumpkin County entered into a MOA with the Department of Technical and Adult Education, Lanier Tech end user, in 2006 for the use of approximately 2,000 square feet of classroom and office space located at 150 B Johnson Street. The DTAE agreed to pay \$1.00 per year for the use of the space and are to be responsible for telecom, utility and janitorial expenses for the facility. The County is responsible for all other expenses for the facility to include light bulbs, HVAC, plumbing, etc. The agreement was auto-renewable with a clause that should the space be abandoned as an Adult Learning Center, it reverts back to the County. The County was approached by the new director of the program asking for an updated agreement. That agreement is presented to the BOC for consideration and is just an update of the previous agreement which is also presented for review. This facility was built with a Community Development Block Grant and is still under the time frame that should the facility not be used for the intended purposes a portion of the grant would have to be repaid to the Department of Community Affairs.

**Potential Courses Of Action:**

1. The Board could choose to approve a new Memorandum of Agreement with the same terms.
2. The Board could ask for different terms from the DTAE to include an increase in the annual rent and/or asking the tenant to pay for more of the maintenance for the space they lease.
3. The Board could choose to not approve the MOA and approach DCA to calculate the amount due to buy back the facility and use it for another purpose. This is the least favorable of the options as there is approximately 6 years left before we would owe no pro-rata costs back to DCA.

**Budget Impact:** The impact to the budget remains unchanged from prior years.

**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
LUMPKIN COUNTY BOARD OF COMMISSIONERS  
AND THE DEPARTMENT OF TECHNICAL AND ADULT EDUCATION**

The Lumpkin County Board of Commissioners ("Landlord") agrees to provide the Georgia Department of Technical and Adult Education ("Tenant"), approximately 2,000 square feet of classroom space for use by the Lanier Technical College for an Adult Learning Center located at 150 B Johnson Street, in Dahlonega, Georgia 30533-0501 ("premises").

In consideration for providing this classroom space, the Tenant agrees to pay the Landlord the sum of One Dollar (\$1.00) per year. Tenant agrees to be responsible for all telecom, utility and janitorial expenses for said premises. The Landlord agrees to be responsible for all other expenses for said premises.

Both parties agree that this Agreement will terminate and the premises will revert to the County in the event the premises is abandoned as an Adult Learning Center.

The term of this agreement shall be for one year commencing July 1, 2016, and ending June 30, 2017. This Agreement shall automatically renew at the end of each term for successive periods of one year each unless otherwise cancelled. Either party has the right to cancel this Agreement by giving the other party written notice at least sixty (60) days in advance.

Landlord:

Tenant:

Lumpkin County Board of Commissioners  
By:

Department of Technical and Adult Services  
By:

\_\_\_\_\_  
Chris Dockery, Chairman

\_\_\_\_\_  
Printed Name:  
Title:

Attest:

Date: \_\_\_\_\_

\_\_\_\_\_  
Kathleen C. Walker, Clerk

Date: \_\_\_\_\_

# 5175

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Both parties agree that this Agreement will terminate, and the premises will revert to the County, in the event the premises is abandoned as an Adult Learning Center. This Agreement will be automatically renewed at the end of each term (June 30<sup>th</sup> of each year) unless otherwise cancelled. Either party has the right to cancel this Agreement by giving the other party a sixty (60) day prior written notice.

The undersigned do hereby mutually agree to the above terms this 14th day of June, 2006.

Kathleen Walker  
Notary Public  
My Commission Expires: 13 March 2010

Stephen Reed  
Lumpkin County Board of Commissioners



Thomas E. Han  
Notary Public  
My Commission Expires: 4/18/09

Tony Bruehl  
Department of Technical and Adult Education  
Tony Bruehl, Director, Facilities Management

**APPROVED AS TO CONTENT:**

**STATE PROPERTIES COMMISSION  
LEASING DIVISION**

By: [Signature]

Date: AUG 11 2006

**FOR INVENTORY PURPOSES ONLY**